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THE MIDDLE DISTRICT OF ALABAMA

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Attorneys for Plaintiff Johnny McFarland, and all others similarly situated.

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 JOHNNY MCFARLAND, on behalf of himself) No. C 07-03953 MEJ
16 and all other similarly situated,)
17 Plaintiff,) **NOTICE OF APPEAL**
18 vs.)
19 GUARDSMARK, LLC, and Does 1 through 50,)
20 inclusive,)
Defendants.)

21 Notice is hereby given that Johnny McFarland, plaintiff in the above named case, hereby
22 appeals to the United States Court of Appeals for the Ninth Circuit from the Stipulated Judgment
23 entered herein on August 25, 2008.

24 DATE: August 26, 2008

~~QUALLS & WORKMAN, L.L.P.~~

By:

Robin G. Workman
Attorney for Plaintiff Johnny McFarland,
and all others similarly situated

PROOF OF SERVICE

I, Cheryl Porter, hereby declare:

I am employed in the City and County of San Francisco, California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Qualls & Workman, L.L.P., 244 California Street, Suite 410, San Francisco, California.

On August 27, 2008, I served the NOTICE OF APPEAL on the interested parties in this action via mail by placing a true copy thereof, on the above date, enclosed in a sealed envelope following the ordinary business practice of Qualls & Workman, for collection and mailing in the United States mail addressed as set forth below:

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I am personally and readily familiar with the business practice of Qualls & Workman for collection and processing of documents for mailing with the U.S. Postal Service, pursuant to which mail placed for collection at designated stations in the ordinary course of business is deposited the same day, proper postage prepaid, with the U.S. Postal Service.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on August 27, 2008, at San Francisco, California.



Cheryl Porter
Cheryl Porter